

# The Sydney Morning Herald.

No. 6045.—VOL. XXXVIII.

WEDNESDAY, OCTOBER 21, 1857.

[PRICE FOURPENCE.]

BIRTHS.

On the 19th instant, at Rose Hill, Chippendale, the wife of John McCall, watchmaker, of a son.

On Tuesday, October 20th, at 210, George-street, Mrs. E. Vickery, of a son.

MARY A. GAGE.

On the 18th October, by special license, at St. James's Church, by the Rev. G. Gurney, W. C., Collett, Esq., J. P., of Moruya, to Caroline, third daughter of Mr. J. Rayner, Sydney.

DEATHS.

On the 20th June last, at Calcutta, East Indies, George Hennion Beverly, aged 22 years.

On the 25th July, at New Brighton, Cheshire, aged 65, Mary wife of Mr. George B. Beauchamp, son, and mother of Mr. Beauchamp.

On the 2nd August, at his residence, No. 4, Osborne-place, Paddington, James Brindley Bettington, Esq., late of Oxford.

On Sunday, the 18th instant, at his residence, Hunter-street, Newcastle, after a long and painful illness, Mr. Joseph Sprague, attorney, leaving a wife and eight children to deplore his loss.

On the 1st October, at his residence, 28, Kent-street, Mr. Archibald L. Aviation, a native of Scotland, aged 47 years.

SHIP ADVERTISEMENTS.

STEAM TO MANLY BEACH DAILY, from Phoenix Wharf, at 10 a.m. and 2 p.m.; from Woolloomooloo at 10.30 a.m. and 2.30 p.m. sharp; returning from Manly at 12 (noon) and 5 p.m.

STEAM TO BRISBANE WATER.—THE BLACK SWAN, on THURSDAY MORNING, at 8 a.m., returning at 3 p.m.

PHOENIX WHARF, 1st October.

TEAM TO CLARENCE RIVER.—THE GRAFTON, 1st Captain WISEMAN, being detained one day, at the special request of passengers, will be despatched from the Grafton Wharf on THURSDAY, 22nd instant, at 8 o'clock, p.m. KIRCHNER and CO., agents.

STEAM TO THE HUNTER.—THE WILLIAMS, or MORPETH, TO-MORROW (Thursday) MORNING at 6 o'clock.

THIMOUT F. DYE, Manager.

H. R. N. S. N. Company's Wharf, foot of Market-street, October 21, 1857.

THE A. & N. COMPANY'S STEAMERS.

COLLROY, to the HUNTER, TO-NIGHT (WEDNESDAY), at 11 a.m.

CITY OF SYDNEY, to MELBOURNE, SATURDAY AFTERNOON, at 3.

BOOMERANG, to MORETON BAY and IPSWICH, THURSDAY, at 9 A.M., THIS EVENING (WEDNESDAY), at 9.

WATAWAH to WIDE BAY, THIS EVENING (WEDNESDAY), at 9.

Steamer to CLARENCE TOWN, TUESDAY, 3d November, at 11 p.m.

JAMES PATERSON, Manager.

THE EUROPEAN AND AUSTRALIAN ROYAL MAIL COMPANY'S STEAMERS.—The mail steamer (carrying Her Majesty's Mail), will be despatched for Suez, calling at intermediate ports, on Wednesday, 11th November, at noon.

RATES OF PASSENGERS, including expense of transhipment through Egypt, but exclusive of wines, spirits, &c., &c.

STEAM TO MELBOURNE, WATT and CO., No. 1, Margaret-street.

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JAMES PATERSON, Manager.

**SYDNEY MORNING HERALD.**—Parties desirous of advertising to the Herald can be supplied by the following recognised NEWS AGENTS, who are authorised to give their own receipts for advertisements:

Mr. T. Lester ... Bickfield-hill  
F. Carter ... South Head Road  
C. Fallick ... Newtown  
F. Macleod ... Rushcutters' Bay  
William Abraham ... Whitechapel, Richmond, W.I.  
E. Mason ... Parramatta  
James Mansfield ... Smithfield  
E. Goetz ... Liverpool  
Thomas Fisher ... Campbelltown  
George Pope ... Eastwood Point, Ryde  
R. Blair ... East and West Maitland  
John Wisdom ... Morneth  
E. Doherty ... Raymond Terrace  
C. Cottrell ... Penrith, Emu, and St. Mary's  
F. Codner ... Penrith, Emu, and St. Mary's  
P. McGrath ... Longbottom, Concord, &c.  
James Dale ... Camperdown  
W. Davy ... North Shore  
Peter Mano ... No. 25, Woolloomooloo-st.  
John Williams ... Near the Full Bar, Waverley  
Thomas Grace ... Pyrmont  
Mrs. Fleming ... Pyrmont.

TO JAMES DICKSON, Esq.—DEAR SIR.—We beg to request that you will allow us to nominate a CANDIDATE for the Representation of our Boroughs in the Legislative Assembly, to supply the vacancy occasioned by the decease of our late respected member, G. H. Nichols, Esq.

We are disposed to take this course, because we are convinced that you will worthily represent the general interests of the colony, and ours in particular, from your local knowledge and long acquaintance with us.

We have also the fullest confidence in your integrity, and sound political principles; and your high moral character gives us every assurance that your conduct and equitable laws, which shall be for the welfare and prosperity of all classes, would be the object of your ambition.

We therefore trust that our call will on your part be responded to, and that a sense of public duty will overcome your private scruples.

We are, dear Sir, your obedient servants,  
EDWARD WRENCH, General Manager.

**A USTRALIAN JOINT STOCK BANK.**—Incorporated by Act of Council—Paid up capital £250,000.

**INTEREST OF CURRENT ACCOUNT BALANCES.**

Notice is hereby given that, from and after this date customers of this Bank will be allowed interest on their weekly minimum balances of current accounts, at the rate of 2 per cent.

**FIXED DEPOSITS.**

Money deposited for fixed periods will bear interest as follows:

By order of the Board of Directors,  
EDWARD WRENCH, General Manager.

**E NGLISH, SCOTTISH AND AUSTRALIAN CHAMBERS.**—(Incorporated by Royal Charter, 1852.)  
Capital paid up, £500,000.

Of which more than one-half is now held by the colony of New South Wales alone.

**INTEREST ON DAILY BALANCES.**

This publication is open to the payment of interest on CURRENT ACCOUNTS, at the rate of 3 per cent. per annum.

It also continues to allow interest as follows, on fixed deposits:

On sums repayable on three months' notice, 3 per cent.

On ditto, on six months' notice, 4 per cent. ditto.

On ditto, on twelve months' notice, 5 per cent. ditto.

JOHN YOUNG, manager,  
Sydney Branch, English, Scottish, and Australian Chartered Bank.

**L ONDON CHARTERED BANK OF AUSTRALIA.**—Society incorporated by Royal Charter.  
Paid-up Capital, £700,000.

Notice is hereby given that, from and after this date, interest will be allowed on accounts, at this Bank, as follows:

On Current Accounts, at the rate of 2 per cent. per annum on minimum balance for the month, if not under £100.

On Fixed Deposits—For three months certain, 3 per cent. per annum.

" " " Six months certain, 4 per cent.

" " " Twelve months certain, 5 per cent. per annum.

ROBT. NAPIER, Manager.

London Chartered Bank of Australia,  
Sydney, 20th October, 1857.

**O RILLY'S BANK CORPORATION.**—Society incorporated by Royal Charter—£1,200,000.  
Reserve Fund ..... 250,000.

**INTEREST ON DEPOSITS.**

From and after this date INTEREST will be allowed at the rate of TWO PER CENT. PER ANNUM on the maximum minimum Balances at the credit of current deposit accounts. And

Per annum  
On money deposited for three months certain, 3 per cent.  
Ditto 6 ditto 4 ditto  
Ditto 12 ditto 5 ditto

GEO. K. INGBLOW, Manager.

**N O TICE.—To the Stock Holders of the Western and Northern Districts.—GEORGE A. PITTE of Richmond, who has for many years been extensively engaged in the purchase of stock, and in the management of the Pastoral Districts of the Colony, having retired from the firm of Messrs. Sullivan and Co., Carcass Butchers, and at the solicitation of a numerous circle of friends, upon whose patronage and support he can truly rely, has been induced to form a new firm, known as "A. H. SHEPPARD, PERKINS and CO." and to commence business at Richmond, where he intends holding sales of such cattle and sheep, as may be placed in his hands for disposal, at any time as occasion may offer; that he offers buyers a great variety of stock, and will, at all times, make the greatest advantage of that opportunity to sell, and to the greatest advantage of those who buy, and that he aims to command the highest market price of the day, and be a considerable saving of expense in the further transit of their stock. His present experience in the cattle trade, and all details, O. H. A. Pitt, will be given to his strict attention to business in promoting the interest of his employers, and a prompt adjustment of account sales, he will be able to obtain the confidence and secure the satisfaction of all those who may be disposed to avail themselves of his services.**

THOMAS COOPER, Esq., Hon. THOMAS HOLT, Esq., M.P., ROBERT THOMPSON, Attorney and Secretary, Principal Officer—Marl's Bull-ring, Pitt-street, Sydney.

**H EAT NUGGET VEIN GOLD-MINING COMPANY.**—The final return of the remaining capital of the above company, is now payable at the office, No. 32, Bridge-street, Sydney. Shareholders are requested to present the sum, by order of the Directors, J. E. H. HILL, Secretary.

**S YDNEY GAS CONSUMERS' COMPANY.—** Treasurer—ROBERT CAMPBELL, Esq., M.P., JOHN TAYLOR, Esq., SAMUEL COHEN, Esq.

Shareholders are requested to pay the first call now made into the Australian Joint Stock, to the credit of the above gentlemen, who have consented to act as treasurers of this celebrated firm, to be obtained on the shortest notice, by order through any established Merchant.

Chairman—M. E. MURRAY, Esq.

Deputy Chairman—Hon. THOMAS HOLT, Esq., M.P., ROBERT THOMPSON, Attorney and Secretary.

Principal Officer—Marl's Bull-ring, Pitt-street, Sydney.

**C LATTON, SHUTEWORTH, and CO. AGRI-CULTURAL ENGINEERS and MACHINE LINCOLN, LONDON, and 75 LOMBARD-STREET, LONDON.—Portable or Fixed Steam Engines, Mowers, Reapers, Corn Mills, and other Manufactures of this celebrated firm, may be obtained on the shortest notice, by order through any established Merchant.**

Chairman—M. E. MURRAY, Esq.

Deputy Chairman—Hon. THOMAS HOLT, Esq., M.P., ROBERT THOMPSON, Attorney and Secretary.

Principal Officer—Marl's Bull-ring, Pitt-street, Sydney.

**L ONDON ACCIDENT FIRM INSURANCE COMPANY.**—SOCIETY INCORPORATED.

Further reduction of 25 per cent. on the former premiums. The underwritten are prepared to issue Fire Policies at the reduced rates of premium, namely—

On First-class risks, from \$2. 5d. to \$2. per cent. per annum.

On Second-class ditto, from \$2. 5d. to \$2. per cent. per annum.

Third-class ditto (subject to arrangement).

No hazardous goods insured at the same rates of premium as the buildings in which they are deposited.

An extra charge for heavy goods. Special risks taken by arrangement. THACKER and CO., agents, George-street, 2nd Floor.

**N EW SOUTH WALES MARINE ASSURANCE COMPANY.**—OFFICE—Exchange-building, George-street.

DIRECTORS: John Fairfax, Esq., Chairman.

Samuel D. Gordon, Esq., M. I. A. James Henderson, Esq., John B. Watt, Esq.

The Honorable Edward Knox, Esq., M. I. A.

Agents and Surveyors at Newcastle—Messrs. Singe and Son, Surveyor at Auckland, New Zealand—Captain Alexander Grange.

The Directors meet every Wednesday, for the despatch of general business, at 11 o'clock; and on other days at a quarter before 1 o'clock to receive applications for insurance. Risks taken on vessels forty-ton register and upwards.

RATES OF PREMIUM BY FIRST-CLASS VESSELS.

Freight average per ton, general, or the ship be warranted, Guinea, per cent.

Great Britain ..... 2 Port Cooper ..... 3  
China ..... 2 Wide Bay ..... 2  
Manilla ..... 2 Clarence River ..... 2  
Burma ..... 2 Merton ..... 1  
Java ..... 2 Twofold Bay ..... 1  
Madras ..... 2 Panhala ..... 1  
Cape of Good Hope ..... 2 Port Phillip ..... 1  
Malta ..... 2 Durban ..... 1  
Delaware ..... 2 Hobart Town ..... 1  
Port Nicholson ..... 2 Launceston ..... 1  
Malacca ..... 2 Circular Head ..... 1  
Port Otago ..... 2 GOLD AND SILVER.

Port Phillip ..... 1 Great Britain ..... 2  
Ditto per centimeres ..... 2 Singapore ..... 2  
Polities on goods, gold, and silver, to Great Britain, are granted in triplicate, payable in London, in case of loss, if required.

**T HREE RINGS OF FIRST-CLASS VESSELS.**

5 Months ..... 3 Guinea per cent.  
Month ..... 3 Guinea per cent.

Whaling voyages ..... 10 Guineas per cent.

The usual brokerage of 5 per cent. allowed.

H.R.—Goods stowed on deck are not covered by his Company's policy.

By order of the Board,

ROBERT GARRETT, Secretary.

**T HE "SYDNEY MORNING HERALD," containing the "MONTHLY SYDNEY MAIL."**—In reply to numerous inquiries, it is intimated to our subscribers and friends in the country, that the copies of the HERALD contained in the Monthly Sydney Mail will be forwarded to Europe, in accordance with instructions as to address on the following terms:—The cost will be 10s. per month, and will include 6d. each for the twelve monthly numbers, also including postage stamps, the price will be 9s. per annum, payable in advance.

THE above are the newest and most tasteful designs, and have the London Hall mark.

BRUSH and WRAPPERS FOR SALE. Apply to Mr. FOX, HERALD Office.

I am an advocate of Free Trade, in so far as I regard its advantages to the colony; disposed freely to recirculate it with any and every country, but examining the necessities of life from duty, among which I include tea and sugar. I have, however, never been able to see the wisdom of levying American and European manufactured goods into our market, as they are imposed on wool, tallow, and other exports.

On the subject of education, I hold the Government is bound to see that every child is educated up to a certain standard; and the system is the only system which the Government could have adopted in existence; but wherever the work of education had been sufficiently done by Denominational schools, Government should contribute to them in the same ratio that education costs in the National Schools.

I am an advocate for religious liberty, believing that the present mixed system of endowments is erroneous in principle, and unjust in practice. I would oppose any additional grant for religious endowment; and, whilst I would not disturb the existing system, I would do all in my power to assist in improving their lifetime, I would support the educational withdrawal.

If you approve of my political principles, as thus briefly set forth, and return me as your representative, I pledge myself to give a constant and careful attendance in the House of Representatives for the welfare and prosperity of the colony generally, and to those of your Boroughs in particular.

Anticipating the pleasure of personally meeting you on early day.

I have the honour to be your faithful servant,

JAMES DICKSON, Newtown, 23rd September.

**A USTRALIAN JOINT STOCK BANK.**—Incorporated by Act of Council—Paid up capital £250,000.

**INTEREST OF CURRENT ACCOUNT BALANCES.**

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Chairman—M. E. MURRAY, Esq.

Deputy Chairman—Hon. THOMAS HOLT, Esq., M.P., ROBERT THOMPSON, Attorney and Secretary.

Principal Officer—Marl's Bull-ring, Pitt-street, Sydney.

**C LATTON, SHUTEWORTH, and CO. AG**





would be placed, and what would be the result. Then let them imagine again, that in the interim before the arrival of a new Governor or the President of the Council should either die or resign his office; then the military officer being away, there would be no one in the case of an adverse vote of that House, to receive the resignation of the Colonial Secretary, but that hon. gentleman himself. He would ask them if this was not a most inconvenient position? Mr. COOPER said the Commanding Forces here being in Victoria, the military officer to take the position in the Government here was the officer next in seniority to the commanding officer. As it happened that officer was at present Colonel Bloomfield, but when that gallant officer left the country, the officer next in seniority was, he believed, a military officer at present stationed at Van Diemen's Land. That officer was absent from here, so that when he returned, he would be shifted for a time he was in favour of its being placed upon the shoulders of one person, and that person the senior officer at that time commanding the troops in this country.

Mr. COOPER: If Colonel Bloomfield goes his place will be filled up.

Mr. PARKER: No doubt; and by a person sent for the Vice-President.

Mr. R. CAMPBELL: And how long would it take? In eight or ten days we could have him up here.

Mr. PARKER: But were eight or ten days enough? Even one day of an unconstitutional Government should consider to be too much. He would, however, go back to the terms of the Constitution Act, which would be the best course.

Premier considered that he was truly and fairly holding his seat in that House, in accordance with the terms of the Constitution Act?

Thus, the honorable member had been elected for Sydney prior to his undertaking the office of one of the administrators of the Government; so that he was not actually holding position of profit under the state for which he had been elected when he came into the House.

In his confidential spirit, it made him mark that he, himself, could, of course, address the Queen to that effect.

Mr. FAUCETT would not speak to the question with reference to the inconveniences that might arise from the continuance, for any prolonged period, of the present manner of conducting the affairs of the Government, but would confine himself to one view of the subject.

He would ask whether they were not assembled in that House as the representatives of the people, and whether they—such representatives were sitting there alone, or whether they were sitting with other members of the Government, and whether they were?

Supposing the appointment of Administrators of the Government was not a mere temporary appointment, but a permanent one, and one of the Administrators was a member of that House sitting as an independent representative, in what position would they then be?

They might just as well have the Colonial Treasurer sitting in the House as of the Administrators of the Government, and also with reference to this (Mr. Parker's) having suggested to his Excellency the Governor-General, the inconveniences that might arise, that he himself, also, when called upon to act as one of the Administrators of the Government did suggest the difficulties that might arise. But it was not with him to decline accepting the office after the remonstrances had been made with the Home Government, and after one or two despatches had taken place which he, however, had not seen.

Mr. PARKER said he had omitted to mention it in his address, but he considered it was the imperative duty of his hon. friend to undertake the office.

Mr. COOPER continued: He was glad his hon. friend (Mr. Parker) acquitted him of assuming the office without consulting him. His Excellency did not intend to remain absent so long as the moment, and his return might therefore be hourly expected. He had no doubt that if the House made some remonstrance with the Home Government respecting this matter, such remonstrance would be attended to. It was not the intention of the Government to press any matters until his Excellency arrived that would give rise to discussion. But as it was desirable to press the interests of the colony, those desired to remain absent so long as the moment, and that he should take his seat. There did not appear to be such difficulty in the question as would make it necessary for him to abstain from taking his seat. Admitting, as he did, that there was some inconvenience in the course adopted, still it was not likely that it would occur in the few days that would pass before the Governor-General returned. It was open to every member of the House to take such remonstrance that might arise, but he believed the duty could be performed without interruption to the business of the country, and therefore it was not necessary for him voluntarily to abstain from taking his seat.

If the House felt that, in taking his seat until the return of his Excellency, he had transgressed any convention which he did not admit he had, that might be avoided by adjourning, or by abstaining himself until his Excellency returned. He desired, at all events, to state to the House what were the instructions of his Excellency, and the circumstances under which he held the office; the whole question being before the House could in some future remonstrance which might be considered desirable by the Home Government, place the matter on what might be considered a more satisfactory footing.

The motion that the document be printed was then put and carried.

**QUESTION OF PRIVILEGE.**

The SPEAKER said after the discussion that had taken place, as it was his duty to watch over the rights and privileges of the House, he might state that he had a strong opinion about the letter of the Honorable Secretary for State. He thought it would be well, if the House took some action in the matter.—(hear, hear)—as it was in his opinion contrary to Constitutional Government. His reason was that the present Executive officers were appointed by the Governor for the time being in all matters. Under the circumstances the Colonial Secretary was the adviser, and advised and sat in this House. It certainly, therefore, did away with the responsibility of one of the offices. It was contrary to the principle of constitutional government, because it was the duty of the Executive to advise with the Governor-General what they did not like to take that advice, then they must resign. Now the Colonial Secretary, and one of the governors, could not give the advice to himself. He thought it trenched on the privileges of the state that a portion of the third estate should be sitting in this House. He merely made these remarks because he thought the privileges of the House were in some degree interfered with, and he should not rest satisfied unless he could get rid of them.

Mr. MARTIN said: After the Speaker had thought proper to draw the attention of the House to the matter, he would say a few words, although, in the absence of any motion from honorable members on the other side, he thought it hardly worth while to take up further time by the discussion of it; but to a certain extent in agree with the observations made by the Speaker from the point of view that the other side had been addressed by the hon. member for Parramatta (Mr. Parker), on the inexpediency of the Colonial Secretary, the President of the Legislative Council, and the Officer in command of troops, acting as administrators of the Government in the absence of the Governor-General. He saw a great number of inconveniences arising from such a case as that, but they might be extremely trivial and of little constitutional; but the question now for their determination was whether, in point of law, it was not certain that one of the administrators of the Government should occupy his seat as a member of this Government. It was in that point of view they had to consider it; and in that point of view he knew no law or any clause in the Constitution Act which made it unlawful for a person who held the office of Administrator of the Government to sit in this House. Let me through the clauses of the Constitution Act, the clauses with reference to vacating a seat, and there was not a single word put down to make it unlawful. With respect to what had been said about receipt of salary, that was something tangible to answer. It was alleged that my hon. friend (the Colonial Secretary) was to receive one-third of the salary of his Excellency. He could understand that argument if the facts were out, but the facts did not bear it out. The Governor was called away not for any private business of his own, but on public business. The Queen required his presence elsewhere and he went. The instructions he received provided who were to act in his absence not very far, but that was a question he need not go into. Then he had to receive one-third of the salary of his Excellency's salary. He could understand that argument if the facts were out, but one must be the Colonial Secretary, although it was necessary that he should be a member of the House, still the Secretary of State must know that he would generally be a member of the House. The second must be the President of the Legislative Council; and the other need not necessarily be a member of either house, but must be the commanding officer. These three officers being particular offices, were appointed, not particular individuals, but, however, the Governor-General must know that he would be a member of the House, and the other also a member of the other House. Now what was intended by the appointment of the Queen with regard to the appointment of the President of the Legislative Council, if such was necessary, the Administrators were clothed with all the powers and functions of the Governor-General, and could make that appointment.

Mr. HAY rose in explanation: The honorable member for Parramatta said that the Government should be held responsible for the conduct of the Government, notwithstanding they had been appointed by the Queen. He could understand that argument if the facts were out, but the facts did not bear it out. The Governor was called away not for any private business of his own, but on public business. The Queen required his presence elsewhere and he went. The instructions he received provided who were to act in his absence not very far, but that was a question he need not go into. Then he had to receive one-third of the salary of his Excellency's salary. He could understand that argument if the facts were out, but one must be the Colonial Secretary, although it was necessary that he should be a member of the House, still the Secretary of State must know that he would generally be a member of the House. The second must be the President of the Legislative Council; and the other need not necessarily be a member of either house, but must be the commanding officer. These three officers being particular offices, were appointed, not particular individuals, but, however, the Governor-General must know that he would be a member of the House, and the other also a member of the other House. Now what was intended by the appointment of the Queen with regard to the appointment of the President of the Legislative Council, if such was necessary, the Administrators were clothed with all the powers and functions of the Governor-General, and could make that appointment.

Mr. HAY rose in explanation: The honorable member for Parramatta: Who would appoint his successor? He was going simply into the law of the case. The moment he ceased to hold this appointment, he would be President of the Government. He could not be one without the other. He was by virtue of his position that he held as President that he was appointed. This might be an inconvenient and absurd, but as the Queen had thought proper to direct it, they had nothing to do with it. They might address the Queen to alter these instructions—that was another question. But as it affected the right of his hon. friend to sit in the House, that argument was beside the question, and had nothing to do with it. It was said that the hon. member, when he was returned to the House, would be allowed to take up the business of the Legislature proceeded with. But in his opinion a motion should be brought forward, bringing under his Excellency's consideration that the difficulty at present experienced was the result of one of those many errors committed by the authorities at home, and it was a great convenience to the Queen that the gentlemen appointed, contemplated claiming any portion of it. He did not know if the Governor were obliged to go away for a short period, he would have given up a portion of his salary. They remained in office without salary, and the Queen did not eligible to receive a salary. Now what salary did he receive? He did not know what the Governor took of it, but he was sure that he did not compensate giving up any portion of his salary, or did they, the gentlemen appointed, contemplated claiming any portion of it? He did not know if that if the Governor were obliged to go away for a short period, he would have given up a portion of his salary. 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